REMARKS

Claims 1-14 remain pending and under examination.

In the Office Action,[1] the Examiner rejected claims 1-13 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,249,905 to Yoshida et al. ("*Yoshida*") in view of a thesis titled "AN OBJECT ORIENTED FRAMEWORK FOR ACCOUNTING SYSTEMS" by Paul Dustin Keefer ("*Keefer*"). Applicants respectfully traverse the Examiner's rejection for the following reasons.

In the Office Action, the Examiner incorrectly indicated that claims 1-13 are pending, and thus did not reject claim 14. Accordingly, Applicants submit that claim 14 contains allowable subject matter. Should the Examiner introduce a new ground of rejection for claim 14, Applicants respectfully request that the subsequent Office Action be made non-final in accordance with M.P.E.P. § 706.07(a) because no pending claimed has been amended in this response.

I.   **Regarding the rejection of claims 1-13 under 35 U.S.C. § 103(a)**

Applicant respectfully requests that the Examiner reconsider and withdraw the rejection of claims 1-13 because a *prima facie* case of obviousness has not been established with respect to these claims.

> To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach

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[1] The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). M.P.E.P. § 2142, 8th Ed., Rev. 2 (May 2004), p. 2100-128.

A *prima facie* case of obviousness has not been established because, among other things, neither *Yoshida* nor *Keefer*, taken alone or in combination, teaches or suggests each and every element of Applicants' claims.

At the outset, Applicant respectfully requests the Examiner to provide a reference date for *Keefer*. Pursuant to M.P.E.P. § 2128,

> [p]rior art disclosures on the Internet or on an on-line database are considered to be publicly available <u>as of the date the item was publicly posted. If the publication does not include a publication date (or retrieval date), it cannot be relied upon as prior art</u>

(emphasis added). The Examiner has not established a publication date of *Keefer*. Although the first page of *Keefer* indicates that the thesis was "submitted in ... 1994," there is no indication of when *Keefer* was published. Because the Examiner has not established that *Keefer* constitutes prior art, no *prima facie* case of obviousness has been established for claims 1-13. Accordingly, Applicant respectfully requests the Examiner to withdraw the rejection of claims 1-13 under 35 U.S.C. § 103(a) as being unpatentable over *Yoshida* in view of *Keefer* at least for this reason.

Moreover, even assuming that *Keefer* could be established as prior art, neither *Yoshida* nor *Keefer*, taken alone or in combination, teaches or suggests each and every element recited by Applicants' claims. Claim 1 recites a combination including, among other things,

> <u>a screen system class group, a report system class group and a business logic system class group, which respectively inherit said system core class</u>

<u>group</u>, wherein said three system class groups are related to each other through said system core class group so that said <u>report system class group and said business logic system class group can start and terminate their processing on the basis of the data</u> inputted through the screen provided by the screen system class group

(emphasis added). The Examiner asserts that *Yoshida* teaches these elements at col. 7, lines 55-63 and further asserts "also for start and terminate process see 6:37-40, for inputting for start process and lines 53-55 for proceeding according to sequences i.e., terminating" (Office Action at p. 3). Applicants respectfully disagree that *Yoshida* teaches the claimed elements.

The Examiner then appears to incorrectly conclude that because *Yoshida* discloses in the abstract "[a] computerized accounting system implemented using object-oriented programming," (*Yoshida*, title) the recited elements are either taught by or inherent to the teachings of *Yoshida*. Applicants respectfully note, however, that, to support a rejection under 35 U.S.C. § 103(a), <u>each and every claim element</u> must be taught or suggested by the prior art, taken alone or in combination.

Yoshida merely discloses that "a user designs an [siq] process tree by placing icons and drawing lines on the computer screen" (*Yoshida*, col. 6, lines 5-7). The cited portions of *Yoshida* discloses that "subclasses derived from a superclass may have the same interface as the superclass. Preferably, a single superclass is used to define the common interface" (*Yoshida*, col. 7, lines 58-60). *Yoshida* also teaches that an "[I]nput component is the starting point of sequences of process ... and may be used to input a transaction for processing. ... the user clicks an 'Accept' button ... [which] initiates the processing of inputted data" (*Yoshida* col. 6, lines 36-55).

However, the cited portions of *Yoshida*, as well as the rest of the reference, is

entirely silent at least to the claimed combination including, for example,

> <u>a screen system class group, a report system class group and a business logic system class group, which respectively inherit said system core class group</u>, wherein said three system class groups are related to each other through said system core class group so that said <u>report system class group and said business logic system class group can start and terminate their processing on the basis of the data</u> inputted through the screen provided <u>by the screen system class group</u>,

(emphasis added) as recited by claim 1. Applicants respectfully request that the

Examiner clearly articulate how *Yoshida* allegedly teaches each and every element.

Moreover, *Yoshida* is silent to constructing a business application system

comprising the steps of "preparing an abstract class group including (i) a system core

class group, ... (ii) a screen system class group, ... and a business logic system class

group," as recited by claim 1.

Further, *Yoshida* does not teach or suggest a screen system class group, a

report system class group, and a business logic system class group being "related to

each other through said system class group," as recited by claim 1.

Yoshida also does not teach or suggest at least "inheriting said system core

class group of said abstract class group to prepare a system core functional group," as

recited by claim 1.

Keefer fails to cure the deficiencies of *Yoshida*. The Examiner asserts that

"Keefer does disclose ... on page 80, section 6.7, that a report writing tool could be

hooked to the transaction definition" (Office Action at p. 4). However, the cited portion

of *Keefer* recites that "[t]he <u>check writing</u> [not the report writing as asserted by the

Examiner] tool could be hooked to the transaction type definition" (*Keefer*, page 80,

section 6.7). In any event, even if *Keefer* was properly characterized in the Office Action, the reference would still fail to cure the deficiencies of *Yoshida* discussed above. Namely, *Keefer* does not teach, for example, "a screen system class group, a report system class group and a business logic system class group, which respectively inherit said system core class group," nor does the Examiner rely on *Keefer* for such teachings.

In addition, the Examiner has not addressed the claimed report system class group or identified what teachings of *Yoshida* or *Keefer* allegedly teach or suggest the claimed "report system class group" (see Office Action at p. 4).

Pursuant to M.P.E.P. § 706.02(j), "[i]t is important for an examiner to properly communicate the basis for a rejection so that the issue can be identified early and the applicant can be given a fair opportunity to reply." Applicant respectfully requests that the Examiner provide documentary evidence, supported with sound technical and scientific reasoning, teaching each and every element of Applicant's dependent claims.

Because neither *Yoshida* nor *Keefer*, taken alone or in combination, teaches or suggests each and every element recited by independent claim 1 and required by dependent claims 2-6, no *prima facie* case of obviousness has been established for these claims. Accordingly, Applicants request that the Examiner reconsider and withdraw the rejection of claims 1-6 under 35 U.S.C. § 103(a) as being unpatentable over *Yoshida* in view of *Keefer*.

Independent claims 7, 11, and 13, although of different scope, recite elements similar to elements recited by claim 1. Because neither *Yoshida* nor *Keefer*, taken alone or in combination, teaches or suggests each and every element recited by

independent claims 7, 11, and 13 and required by dependent claims 8-10 and 12 no

prima facie case of obviousness has been established for these claims. Accordingly,

Applicants also request that the Examiner reconsider and withdraw the rejection of

claims 7-13 under 35 U.S.C. § 103(a) as being unpatentable over *Yoshida* in view of

Keefer.

II.   Conclusion

In view of the foregoing amendments and remarks, Applicants respectfully

request reconsideration and reexamination of this application and the timely allowance

of the pending claims.

Applicants respectfully request that the Examiner respond to every point raised

herein in accordance with M.P.E.P. § 707.07(f). Should the Examiner continue to

dispute the patentability of the claims after consideration of this Reply, Applicants

encourage the Examiner to contact Applicants' undersigned representative by

telephone to discuss any remaining issues or to resolve any misunderstandings.

Please grant any extensions of time required to enter this response and charge

any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

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Dated: January 5, 2006   By:_____

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